

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLF GERHARD EVANS,

Defendant.

NO. CR05-5841FDB

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's Objection to Proposed Language in Order of Dismissal, and the Government's Reply to Defendant's Objection to Language in Order to Dismiss.

The Defendant's Objection seeks an order of dismissal excluding the following language:

1 "This Order of Dismissal is not intended to serve as a release of
2 any civil liability on the part of the defendant Evans, or his estate."

3 In its reply, the Government proposes a new order which retains the
4 language objected to by defendant, and which seeks dismissal without
5 prejudice. This Court construes Defendant's objection, and the Government's
6 request, as Motions for Reconsideration of this Court's Order entered on
7 January 20, 2006.

8 Having considered the Defendant's Objection, the Government's Reply,
9 and the entirety of the records and file herein, it is hereby ORDERED that the
10 parties' motions are DENIED.

11 IT IS SO ORDERED.

12 The Clerk of the Court is instructed to send uncertified copies of this
13 Order to all counsel of record.

14 DATED this 27th day of January, 2006.

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20 FRANKLIN D. BURGESS
21 UNITED STATES DISTRICT JUDGE
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